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OFFICE OF PETITIONS

In re Application of :
Deng et al. : DECISION ON PETITION
Application No. 10/676,708 :
Filed: October 1, 2003 :
Attorney Docket No. CISC835 :

This is a decision on the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed April 17, 2008.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to file a reply to the non-final Office action mailed October 16, 2007. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time obtainable under § 1.136(a). No reply timely filed and no extension of time obtained, the application became abandoned effective January 17, 2008. The filing of the instant petition precedes the mailing of a courtesy Notice of Abandonment.

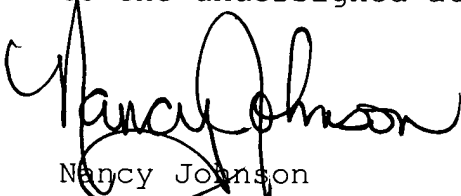
The petition includes the required reply, the required statement of unintentional delay and payment of the petition fee set forth in 37 CFR § 1.17(m). No terminal disclaimer is required.

It is noted that an extension of time for response within the third month (\$1,050) was processed in this application on June 17, 2008. It is unclear of the basis for this filing. No such extension of time is required with this petition. Accordingly, the fee is refundable. A request for refund should be filed with a copy of this decision. Note, to avoid entry of a period of reduction of patent term adjustment pursuant to 37 CFR

1.704(c)(10), any such request should be filed prior to the mailing of a notice of allowance (or if within the permitted time periods, after the issuance of the patent).

Technology Center AU 2623 has been advised of this decision. The application is, thereby, forwarded to the examiner for consideration of the amendment submitted on petition filed April 17, 2008.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson". The signature is stylized with a large, looping "N" and a cursive "Johnson".

Nancy Johnson
Senior Petitions Attorney
Office of Petitions